

Docket 07-57 XM and Sirius Merger

Applications for Consent to the
Transfer of Control of Licenses

XM Satellite Radio Holdings Inc.,
Transferor,

to

Sirius Satellite Radio Inc.,
Transferee

I would be in favor of XM and Sirius merging. I think the previous contingency should be waived as, since that was agreed upon, the market has changed and there is plenty of competition out there. What happened with AT&T? Also, when these two are competing against each other, it let's others shy away from stepping up. There also is a very strong market for iPods, and other forms of media that will not make this a monopoly effort, but a combined effort will be better for the consumer overall. It will give more choices and more price selection to fit all budgets and interests.

After all, we do have a choice, just as we do now to not continue service or choose another form of media that is out there and more popular than satellite radio. I believe these two need to merge to compete with these other forms of entertainment media instead of fighting each other and may not see what is coming up behind only to pass them.

The statement "which prohibits transfers or assignments of licenses except upon application to the Commission and upon a finding by the Commission that the public interest would be served thereby" indicates to me that it is not set in stone and can be changed. That whole paragraph is contradicting.

The public interest will be well served with a merger. There will be more programming and pricing options. I think the consumer will be better served by these two companies getting along instead of each going into debt to get more subscribers. They won't need to rake the price up so high.

I agree with these two statements below:

"They claim that despite its strong initial growth, satellite radio accounts for only 3.4 percent of all radio listening. *Id*"

"The Applicants further assert that a merger would not adversely affect competition among programmers, given their commitment to programming diversity and the myriad outlets available to programmers. *Id.* at 47."

How can you tell someone that they can't merge when there are other forms competing in the larger entertainment media market? I cannot see how a merger would harm the public, only make competition stronger among them and other entertainment media choices.

If you are afraid of this merger becoming a monopoly, why don't you put a clause that if this merger creates harm to public it will be revisited. I think, if the public would be affected in a negative way, the recourse is cancelled subscriptions.

